

Application No.: 10/658,055

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REMARKS

Claims 1-25, 27-43, 45, and 47-120 are pending. Claims 1-4, 7-8, 10-11, 15-16, 22-24, 28, 30, 35, 40, 42, 43, and 53 stand rejected, and claims 5, 6, 9, 12-14, 17-21, 25, 27, 29, 31-34, 36-39, 41, 45, 47-52, and 54-120 were withdrawn from consideration. By virtue of this response, claims 1-4, 7, 24, 28, 30, and 43 have been amended, claims 22 and 61-120 cancelled, and no new claims have been added. Accordingly, claims 1-4, 7-8, 10-11, 15-16, 23, 24, 28, 30, 35, 40, 42, 43, and 53 are currently under consideration. Amendment and cancellation of certain claims is not to be construed as a dedication to the public of any of the subject matter of the claims as previously presented.

For the Examiner's convenience, Applicants' remarks are presented in the same order in which they were raised in the Office Action.

Claim Objections:

Claims 1-4, 7-8, 10-11, 15-16, 22-23, 28, 30, 35, 40, 42-44, and 53 stand objected to because of the following informalities listed on pages 2 and 3 of the Office Action.

Initially, it is noted that several claims (for example, claim 1) are indicated as being objected to without reasons offered for the objection. Applicants assume this is a typographical error and address only those claim objections specifically addressed in the Office Action.

(1) The phrase "the recorded data pages" recited in claims 2 and 3 are objected to as confusing and indefinite. Applicants have amended claims 2 and 3 as indicated herein and submit that they are now clear and definite.

(2) The phrase "an image of the information layer is propagated to a plane" of claim 4 is objected to as confusing and wrong. Applicants have amended claim 4 as indicated herein and submit that it is now clear and definite.

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(3) The phrase "an image plane of the modulated beam" of claim 7 is objected to as confusing and indefinite. Applicants have amended claim 7 herein and submit that it is now clear and definite.

(4) The phrase "read only memory" recited in claim 22 is objected to. Claim 22 is cancelled, and the rejection is therefore moot.

(5) The phrase "the data mask includes multiple information layers" recited in claim 28 is objected to as confusing and in contradiction to its based claim which states only one single information layer is in the data mask. Applicants respectfully disagree and submit that claim 28 does not contradict the base claim for at least similar reasons as claim 16 discussed in the previous response. Claim 28 recites that data mask "includes an information layer..." It is well known that the recitation of "a" or "one" element (in and of itself) does not limit the claim to a single element. Further, claim 24 uses the term comprising, clearly indicating that additional elements are contemplated. Accordingly, the recitation of multiple layers in claim 28 does not contradict the recitation of a single layer in claim 24 and the objection should be withdrawn.

Claim Rejections under 35 USC §102

A. Claims 1, 3, 7, 10, 11, 23, 24, 30, and 35 stand rejected under 35 U.S.C. 102(b) as being anticipated by the patent issued to Snyder et al. (U.S. Patent No. 6,064,586).

Claim 1 has been amended to recite that the information layer is divided into multiple data pages and "an image of the information layer is formed having a size substantially equal to an incident surface of the storage medium". Support for the amendment to claim 1 may be found, e.g., in paragraphs [0007] ("...an entire holographic image or 'layer' of information is recorded simultaneously across an entire storage medium," and "The encoded planewave object beam illuminates one surface of the storage medium."). See also, Figure 3, for example. Accordingly, no new matter has been added by the amendment.

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The amended features of claim 1, i.e., that the "image of the information layer is formed having a size substantially equal to an incident surface of the storage medium," are not disclosed by Snyder. In particular, Snyder is silent as to the relative size of the image of page 10 stored in storage medium 70 and the size of storage medium 70. Further, Snyder does not suggest such a feature alone or in combination with the references presently cited. Accordingly, the rejection should be withdrawn and claim 1 and all claims depending therefrom allowed.

Claims 24 and 30 have been amended to include features similar to those of amended claim 1 and are allowable over Snyder for at least similar reasons as claim 1. Accordingly, claims 24 and 30 and all claims depending therefrom should be allowed.

B. Claims 1, 3, 7, 10, 11, 23, 24, 30, and 35 are rejected under 35 U.S.C. 102(b) as being anticipated by the patent issued to Guest et al. (U.S. Patent No. 4,318,581).

The amended features of claim 1, i.e., "image of the information layer is formed having a size substantially equal to an incident surface of the storage medium," are not disclosed by Guest. In particular, Guest is silent as to the relative sizes of the image of the optical pattern stored in the storage medium 24 and the size of recording medium 24 (see, e.g., Fig. 3, col. 5, lines 24-45 of Guest). Further, Guest does not suggest such a feature alone or in combination with the references presently cited. Accordingly, the rejection should be withdrawn and claim 1 and claims depending therefrom allowed.

Claims 24 and 30 have been amended to include features similar to those of amended claim 1 and are allowable over Snyder for at least similar reasons as claim 1. Accordingly, claims 24 and 30 and all claims depending therefrom should be allowed.

Claim Rejections under 35 USC §103

A. Claims 2, 4, 22, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over the patent issued to Snyder et al.

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Claim 22 has been cancelled and the rejection is moot. Claims 2, 4, and 28 depend from claims 1 and 24 respectively and are allowable over Snyder for at least similar reasons as claim 1.

Further, claim 28 has been amended herein to recite that the data mask includes "a holographic storage material comprising multiple information layers." Such a feature is clearly not disclosed or suggested by Snyder, nor has it been alleged to. Claim 28 is therefore allowable for at least this additional reason.

B. Claims 2, 4, 22, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over the patent issued to Guest et al.

Claim 22 has been cancelled and the rejection is moot. Claims 2, 4, and 28 depend from claims 1 and 24 respectively and are allowable over Guest for at least similar reasons as claims 1 and 24 discussed above.

Further, claim 28 has been amended herein to recite that the data mask includes "a holographic storage material comprising multiple information layers." Such a feature is clearly not disclosed or suggested by Guest, nor has it been alleged to. Claim 28 is therefore allowable for at least this additional reason.

C. Claims 1, 8, 15, 16, 30, 43, and 53 are rejected under 35 U.S.C. 103(a) as being unpatentable over the patent issued to Hart (U.S. Patent No. 5,592,313) in view of the patent issued to Scherer et al (U.S. Patent No. 5,258,860).

The amended features of claim 1, i.e., "image of the information layer is formed having a size substantially equal to an incident surface of the storage medium," are not disclosed by Hart or Scherer whether taken alone or in combination. In particular, neither reference discloses or suggests that an image of the information layer is formed having a size substantially equal to an incident surface of the storage medium. Accordingly, the rejection should be withdrawn and claim 1 and claims depending therefrom allowed.

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Claims 30 and 43 have been amended to include features similar to those of amended claim 1 and is allowable over Hart and Scherer for at least similar reasons as claim 1. Accordingly, claims 30 and 43 and all claims depending therefrom should be allowed.

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CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 495812004700. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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Respectfully submitted,

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